

UNITED STATES BANKRUPTCY COURT
Western District of Washington

UNITED STATES TRUSTEE,

Case Number: 20-00400-MJH

Plaintiff,

v.

THOMAS MCAVITY AND
NORTHWEST DEBT RELIEF LAW
FIRM,

Defendant.

SUMMONS IN A MISCELLANEOUS PROCEEDING

YOU ARE SUMMONED and required to file a motion or answer to the complaint with the Clerk of the Bankruptcy Court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days. A copy of the complaint is attached to this summons.

Address of Clerk:

U.S. Bankruptcy Court
1717 Pacific Avenue, Suite 2100
Tacoma, WA 98402

At the same time, you must also serve a copy of the motion or answer upon the Plaintiff's attorney (or Plaintiff if not represented by counsel).

Name and Address of Plaintiff's Attorney (or Plaintiff not represented by counsel):

Matthew Joseph Plahuta Johnson
Office of the United States Trustee
700 Stewart St, #5103
Seattle, WA 98101

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held on the following date and time:

Date and Time: July 23, 2020 at 10:00 AM

Dial: 1.888.363.4749

Enter Access Code: 5635947#

Press the # sign

Enter Security Code when prompted: 3887#

Speak your name when prompted

Please follow these guidelines when participating on a teleconference:

- Use a land line phone and not a cell phone, if possible.
- Make the call from a quiet area where background noise is minimal.
- Wait until the judge calls your case before speaking.
- Do not put the phone on hold at any time after the call is connected.
- In the event you are unable to connect to the conference call after following the above procedures, please contact chambers at (253) 882–3950.

/s/ Samantha Bergeson
Courtroom Deputy to Judge Heston

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

COMPLIANCE WITH RULES

Mediation: Local Bankruptcy Rule 9040–3 requires parties in all adversary proceedings to file a Mediation Certification certifying that they have considered mediation to resolve their dispute. The form of Mediation Certification accompanies this summons and is to be served by the plaintiff on all defendants. See the court's website, www.wawb.uscourts.gov, Thomas T. Glover Mediation Program, for additional forms and information on the court's mediation program.

Initial Disclosures: All parties shall make the initial disclosures required by Federal Rule of Civil Procedure 26(a)(1) and Federal Rule of Bankruptcy Procedure 7026 no later than five (5) days prior to the pretrial conference set forth above.

Consent to Entry of Final Adjudication: Each party shall comply with the requirements of Federal Rules of Bankruptcy Procedure 7008(a) and 7012(b). Each party shall also comply with Local Bankruptcy Rule 7012–1 by filing a Notice Regarding Final Adjudication and Consent containing all of the information required by Local Bankruptcy Rule 7012–1(a) with its initial pleading. As set forth in the Local Bankruptcy Rule 7012–1(c), failure by a party to file a Notice Regarding Final Adjudication and Consent by the deadline shall constitute that party's consent to entry of final orders or judgments by the bankruptcy judge.

Mark L. Hatcher
Clerk, U.S. Bankruptcy Court

Date of Issuance: June 11, 2020

Summons must be served within 7 days of date of issuance, Fed. R. Bankr. P. 7004(e). Plaintiff shall file a certificate of service within 14 days after service has been effected. Local Rule W.D. Wash. Bankr. 7004–1.

UNITED STATES BANKRUPTCY COURT
Western District of Washington

UNITED STATES TRUSTEE,

Case Number: 20-00400-MJH

Plaintiff,

v.

THOMAS MCAVITY AND
NORTHWEST DEBT RELIEF
LAW FIRM,

Defendant.

MEDIATION CERTIFICATION

Pursuant to Local Bankruptcy Rule 9040-3, each of the undersigned certifies that he or she has read the Honorable Thomas T. Glover Mediation Program Instructions for Parties, discussed the available dispute resolution options provided by the Court, reviewed dispute resolution options offered by private entities, and considered whether this matter might benefit any of them.

Dated: _____

Signature of Plaintiff/Cross Plaintiff

Printed Name: _____

Dated: _____

Signature of Counsel for Plaintiff/Cross Plaintiff

Printed Name: _____

Dated: _____

Signature of Defendant/Cross Defendant

Printed Name: _____

Dated: _____

Signature of Counsel for Defendant/Cross Defendant

Printed Name: _____

NOTE: This Certification shall be served by the plaintiff on all defendants and must be signed by each party and its counsel. If there is more than one plaintiff, the plaintiff listed first in the caption of the adversary proceeding shall also serve this Certification on all other plaintiffs. If there are additional parties (e.g., additional plaintiffs, defendants, cross plaintiffs, or cross defendants), additional sheets should be filed.

The completed Certification must be filed with the court electronically or by mailing a paper copy to the Clerk of the Bankruptcy Court, 1717 Pacific Avenue, Suite 2100, Tacoma, WA 98402.